

COMMISSION DIRECTIVE

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>October 17, 2007</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2007-294-WS</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		<u></u>

SUBJECT:

DOCKET NO. 2007-294-WS – Concerned Citizens against Carolina Water, Incorporated, Complainant/Petitioner v. Carolina Water Service, Incorporated, Defendant/Respondent - Discuss with the Commission Carolina Water Service, Incorporated's Motion to Dismiss Filed by John M. S. Hoefer, Esquire.

COMMISSION ACTION:

Move that we grant Carolina Water Service's motion to dismiss the complaint of Concerned Citizens Against Carolina Water, Inc. The complaint should be dismissed on multiple grounds. First, S.C. Code Ann. Section 58-5-270 gives this Commission the discretion to dismiss a complaint for rate relief that does not contain at least 25 signatures of ratepayers of the involved utility. This document contains no such signatures. Further, Ms. Bryant cites at least one statute that has been repealed, and requests relief that can no longer be granted. In addition, Carolina Water Service has pointed out that the complaint in this matter is virtually identical to two other complaints filed by Ms. Bryant in 1996 and 1997. It appears to the Commission that Ms. Bryant has simply recycled old pleadings. Such filings result in a waste of economic and judicial resources of the Commission. Also, such inappropriate filings can result in higher rates to the customers of the utility, through an increase in company legal expenses. While Carolina Water Service has argued for the imposition of sanctions against Ms. Bryant and/or CCACW, I move that we elect not to assess costs or other sanctions at this time. However, in keeping with our obligations to carry out our duties in a manner consistent with the public interest, we should warn Ms. Bryant that any further filings similar to the present one will not be met with leniency by this Commission, and sanctions may be imposed as we deem appropriate.

PRESIDING	<u>Hamilton</u>				Session:	Regular
	MOTION	YES	NO	OTHER	Time of Session	<u>2:30 PM</u>
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		APPROVED	<u></u>
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		APPROVED STC 30 DAYS	<u></u>
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		ACCEPTED FOR FILING	<u></u>
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		DENIED	<u></u>
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		AMENDED	<u></u>
MOSELEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		TRANSFERRED	<u></u>
WRIGHT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		SUSPENDED	<u></u>
					CANCELED	<u></u>
					SET FOR HEARING	<u></u>
					ADVISED	<u></u>
					CARRIED OVER	<u></u>
					RECORDED BY	<u>SCHMIEDING</u>